Remarks/Arguments

Claims 1-5 and 7-20 are pending. The claims have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. In particular, the claims have been amended to more specifically recite that the at least two service and entitlement control message packet pairs are associated with one service. No new matter is believed to be added by the present amendment.

Rejection of claims 1-5 and 7-16 under 35 USC 103(a) as being unpatentable over Wasilewski (US Pat No 5420866) in view of Fernsehens.

Applicants submit that for at least the reasons discussed below the combination of Wailewski '866 and Fersehens fail to teach or suggest each and every limitation of amended claim 1, and as such, amended claim 1, and the claims that depend therefrom, are patentably distinguishable over the suggested combination.

To establish a prima facie case of obviousness, all of the recited claim limitations must be taught or suggested in the prior art. See, M.P.E.P. 706.02(j); see also, M.P.E.P. 2143.03 citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974) ("All words in a claim must be considered in judging the patentability of that claim against the prior art.") and In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). As discussed below, the cited prior art references, both singly and in combination, fail to teach or suggest all of the limitations of Claims 1-5 and 7-16, and hence fail to render any of the pending claims unpatentable as a matter of law.

Claim 1 has been amended to recite: "...extracting at least two service and entitlement control message packet identifier pairs associated with said service from said datastream, each said packet identifier pair including a service identifier and an entitlement control message packet identifier associated with said service; and automatically identifying one of the extracted pairs according to a predefined convention ... (emphasis added)" The cited art fails to teach or suggest such an extraction and automatic identification.

These limitations are discussed, by way of explanation, in the subject application on page 14, in lines 11-29. The application explains that terminal card 55 processes both CA and XCA streams coming from various sources including broadcaster head-end and playback devices in the home network. Depending on the content received, the host e.g., presentation device 50, may send two pairs of {Service PID, ECM PID} to the terminal card 55, where one pair contains the LECM, the other the CA ECM PID. Hence, there is a need to differentiate between CA ECMs and LECMs.

The method of Claim 1 addresses the problem of differentiating between received PID pairs by defining the first {Service PID, ECM PID} pair to be a predetermined one of the PIDs, where multiple pairs are provided, such that the LECM PID or CA ECM PID is defined by convention. See, e.g., specification, page 14, lines 21-23.

Wasilewski fails to even contemplate such a problem, let alone provide a solution thereto. The Office action asserts Wasilewski teaches extracting at least two service and entitlement control message packet identifier pairs from data associated with the service, and automatically identifying one of the extracted pairs according to a predefined convention. Applicant respectfully disagrees.

Wasilewski is directed to providing a plurality of different sets of conditional access information to a remote location and facilitating access to a selected one of the sets of conditional access information by a decoder at the remote location. See, col. 5, lines 37-43. Generally, Wasilewski teaches a decoder at the remote location can employ the transmitted table to identify and extract the transport packets that carry a selected one of the sets of conditional access information. However, Wasilewski does not disclose or suggest extracting at least two service and entitlement control message packet identifier pairs and automatically identifying one of the extracted pairs based on a predefined convention.

The examiner asserts that Wasilewski discloses "... a remote decoder/set-top-box receives a packet that has multiple different conditional access or elementary streams, each multiple different conditional access has unique different packet identifiers or 'packet identifier pairs', with a table to automatically identify

8

and extract the set of multiple different conditional access systems, and the method provides a single transport stream formed from plural different elementary streams representing the different services from the different vendors ..."

Applicants understand the above cited portion to refer to that Wasilewski discloses transmitting services associated with multiple different conditional access systems within a signal transport stream, and that a table is provide to determine the conditional access system associated with a particular service. However, such a concept is distinguishable from the feature that one particular service has associated with it at least two service and entitlement control message packet identifier pairs. Thus, while multiple sets of conditional access information may be available to the Wasilewski decoder, Wasliewski merely teaches to extract the one identifier pair associated with a particular service – nowhere does Wasilewski disclose or suggest extracting at least two service and entitlement control message packet identifier pairs associated with one service, as is recited in amended Claim 1.

In fact, Applicants submit that even assuming arguendo that Wasilewski discloses the feature alleged by the examiner, that feature fails to meet the feature "...extracting at least two service and entitlement control message packet identifier pairs associated with said service from said datastream, each said packet identifier pair including a service identifier and an entitlement control message packet identifier associated with said service; and automatically identifying one of the extracted pairs according to a predefined convention ... (emphasis added)" recited in amended claim 1.

Further, as Wasilewski only extracts the one set of conditional access information that is associated with it, there is no need to differentiate between multiple ECMs. Consistent with the above passages, Wasilewski also fails to teach or suggest automatically identifying one of the extracted pairs according to a predefined convention.

Applicant notes the secondary reference Fernsehens is not relied on in the Office action for such teachings. Accordingly, Applicant requests reconsideration and removal of the rejection of Claim 1, as the prior art as applied in the Office

9

action fails to teach or suggest at least: "... extracting at least two service and entitlement control message packet identifier pairs associated with said service from said datastream, each said packet identifier pair including a service identifier and an entitlement control message packet identifier associated with said service; and automatically identifying one of the extracted pairs according to a predefined convention ...."", as recited by Claim 1.

Applicant also requests reconsideration and removal of the rejections of Claims 2 and 3 as well, at least by virtue of these claims' ultimate dependency upon a patentably distinct base Claim 1.

Independent claim 4 has been amended to recite, "extracting service and entitlement control message packet identifier pairs associated with said service from said datastream, each said packet identifier pair including a service identifier and an entitlement control message packet identifier associated with said service." Accordingly, Applicant submits Claim 4, and the claims that depend therefrom, are distinguishable from the cited art for at least the same reasons as those set forth above with regard to Claim 1.

Independent claim 17, also recites, "extracting service and entitlement control message packet identifier pairs associated with a service from said datastream, each said packet identifier pair including a service identifier and an entitlement control message packet identifier associated with said service." Applicant submits Claim 17 is distinguishable from the cited art for at least the same reasons as those set forth above with regard to Claim 1.

Independent Claim 18 recites in part, "if more than one service and entitlement control message packet identifier pair associated with the service are extracted, automatically identifying at least one of the extracted pairs as including a broadcast entitlement control message according to a predefined convention (emphasis added)." Accordingly, Applicant submits Claim 18 is distinguishable from the cited art for at least the same reasons as those set forth above with regard to Claim 1.

Independent Claim 19 recites in part, "identifying, in the datastream, at least two service and entitlement control message packet identifier pairs associated with

said service, wherein one of the received pairs includes a conditional access entitlement control message identifier and a second one of the received pairs includes a local entitlement control message identifier (emphasis added)." Accordingly, Applicant submits Claim 19, and the claims that depend therefrom, are distinguishable from the cited art for at least the same reasons as those set forth above with regard to Claim 1.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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12